

AMENDED IN ASSEMBLY AUGUST 24, 2006

SENATE BILL

No. 982

**Introduced by Committee on Environmental Quality (Senators
~~Lowenthal (Chair), Campbell, Senators Simitian (Chair),~~
Chesbro, Cox, Escutia, ~~Figueroa, Kuehl, Runner, and Simitian~~
and Lowenthal)**

February 22, 2005

An act to amend Section 25197.1 of, *and to add Section 25292.6 to,*
the Health and Safety Code, relating to hazardous-waste *substances*.

LEGISLATIVE COUNSEL'S DIGEST

SB 982, as amended, Committee on Environmental Quality.
Hazardous *substances and waste*: enforcement: *underground storage tanks*.

(1) Existing law requires the Director of Toxic Substances Control to establish a Hazardous Waste Enforcement Unit within the Department of Toxic Substances Control and to appoint an enforcement coordinator to administer that unit and carry out various duties.

This bill would require the enforcement coordinator to additionally establish and maintain ~~a~~ *an Internet* Web site for receiving reports concerning violations of the hazardous waste control laws and any other statutes and regulations that govern hazardous waste. The bill would also make conforming changes.

(2) *Existing law generally regulates the storage of hazardous substances in underground storage tanks and requires underground storage tanks that are used to store hazardous substances to meet certain requirements. Existing law requires the owner or operator of an underground storage tank system with a single-walled component*

that is located within 1,000 feet of a public drinking water well to implement a program of enhanced leak detection or monitoring, and requires owners and operators of underground storage tank systems that are located within 1,000 feet of a public drinking water well that are not subject to that provision to test the system once using enhanced leak detection before January 1, 2005. Existing law requires that if the results of an enhanced leak detection test indicate that any component of an underground storage tank system is leaking liquid or vapor, the owner or operator is required to take appropriate actions.

This bill would require the State Water Resources Control Board to post on the Internet Web site of the California Environmental Protection Agency, on or before January 15, April 15, July 15, and October 15 of each year specified information related to the number of underground storage tank systems and compliance by owners and operators. The requirements relating to posting the information regarding underground storage tank systems would become operative January 30, 2007.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25197.1 of the Health and Safety Code
- 2 is amended to read:
- 3 25197.1. (a) The director shall establish a Hazardous Waste
- 4 Enforcement Unit within the department and shall appoint an
- 5 enforcement coordinator to administer that unit and carry out the
- 6 duties specified in subdivision (b).
- 7 (b) The enforcement coordinator shall do all of the following:
- 8 (1) Require that information which the department receives
- 9 concerning a violation of this chapter or any regulation or order
- 10 issued pursuant to this chapter is routinely and expeditiously
- 11 transmitted from the department to the appropriate city attorney
- 12 or district attorney, and to the Attorney General.
- 13 (2) Make recommendations of persons to be awarded payment
- 14 pursuant to Section 25191.7.
- 15 (3) Make annual recommendations to the Governor and the
- 16 Legislature of statutory changes to increase the capability of city
- 17 attorneys, district attorneys, and the Attorney General to
- 18 prosecute violations of this chapter and any other law or

1 regulation relating to hazardous waste, including needed training,
2 assistance, and coordination programs.

3 (4) Post on its *Internet* Web site, pursuant to Section 25178,
4 the actions taken by the enforcement coordinator and the
5 Hazardous Waste Strike Force to carry out this article and the
6 results obtained from those actions in increasing the effectiveness
7 of local and state hazardous waste enforcement activities.

8 (5) Establish and maintain a toll-free telephone number,
9 operating during the regular working hours of the department,
10 that is available to the public to report information concerning
11 violations of this chapter and any other hazardous waste statutes
12 and regulations. The department shall screen calls for violations
13 and shall refer information concerning potential violations within
14 three working days to the regional office of the department, the
15 office of the city attorney, the district attorney, or the Attorney
16 General, as appropriate.

17 (6) Establish a program to publicize the toll-free telephone
18 number.

19 (7) Establish and maintain ~~a~~ *an Internet* Web site for receiving
20 reports concerning violations of this chapter and any other
21 statutes and regulations that govern hazardous waste.

22 (c) Nothing in this article limits the authority of a city
23 attorney, a district attorney, or the Attorney General to
24 investigate or prosecute violations of hazardous waste laws or
25 regulations.

26 (d) Nothing in this article limits the authority of the
27 department or any agency specified in subdivision (a) of Section
28 25197.2 to request that a civil or criminal action be brought by a
29 city attorney, a district attorney, or the Attorney General under
30 any other law or regulation.

31 *SEC. 2. Section 25292.6 is added to the Health and Safety*
32 *Code, to read:*

33 *25292.6. (a) On or before January 15, April 15, July 15, and*
34 *October 15 of each year, the board shall post on the Internet*
35 *Web site of the California Environmental Protection Agency all*
36 *of the following information:*

37 *(1) The number in each county of underground storage tanks*
38 *that are required to comply with subdivision (a) of Section*
39 *25292.4.*

- 1 (2) *The number of underground storage tank owners and*
2 *operators in each county that are in compliance with subdivision*
3 *(a) of Section 25292.4*
4 (3) *The number in each county of underground storage tanks*
5 *that are required to comply with subdivision (a) of Section*
6 *25292.5.*
7 (4) *The number of underground storage tank owners and*
8 *operators in each county that are in compliance with subdivision*
9 *(a) of Section 25292.5.*
10 (b) *This section shall become operative on January 30, 2007.*